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DEPT OF TRANSPORTATION  
DOCKETS

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**HEARING DOCKET**

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF HEARINGS  
WASHINGTON, D.C.**

In the Matter of:

Frontier Airlines, Inc.

FAA DOCKET CP 09NM0005  
FAA Case No. 2008NM210015  
DMS No. FAA-2009-0177

Judge Goodwin

**COMPLAINANT'S FIRST SUPPLEMENTAL DISCOVERY REQUEST**

To: Respondent

In accordance with 14 CFR Sections 13.220 and the Federal Rules of Civil Procedure, please respond to the following Interrogatories, Requests for Production of Documents, and Request for Admissions, separately and fully under oath by **June 5, 2009**.

These discovery requests are intended to discover information and/or documents not only within your personal knowledge or obtainable by you, but also information in the possession of or obtainable by your attorneys, investigators, representatives, employees, agents, or anyone acting on your behalf or on their behalf.

These discovery requests are continuing in nature and any information which may be discovered by you subsequent to the service and filing of your answers must be brought to the attention of the agency attorney through supplemental answers when it becomes available to you, at a reasonable time prior to the hearing in this matter. If there are any additions, deletions or changes in the answers or information provided at any time prior to hearing the Respondent is specifically requested to so immediately inform the agency attorney. If such information is not furnished, the agency attorney at the time of the hearing will move to exclude from evidence such information requested and not furnished.

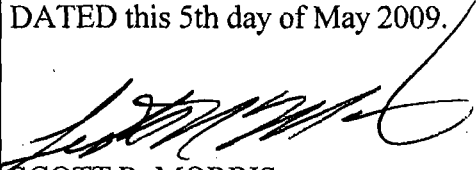
The agency attorney further requests that the Respondent produce the documents identified and designated herein for inspection and copying at the FAA Office of Regional Counsel, Suite 570, 1601 Lind Avenue, SW, Renton, Washington 98057, by **June 5, 2009**.

**PRIVILEGE**

If, in responding to, or failing to respond to these interrogatories, requests for admission and requests for production you invoke or rely upon any privilege of any kind, state specifically the nature of the privilege; the basis upon which you invoke, rely upon or claim it, including any

1 statutory or decisional reference; and identify all documents or other information, including  
2 contacts and communications which you believe to be embraced by the privilege invoked.  
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5 DATED this 5th day of May 2009.  
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10 SCOTT R. MORRIS  
11 FAA Attorney  
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2 INTERROGATORIES AND REQUESTS FOR PRODUCTION  
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5 Interrogatory No. 1: Identify by name, address and telephone number of the Captain and First  
6 Officer that operated N940FR on December 29, 2007, on the flight reflected in N940FR's aircraft  
7 flight log 330777. (the Denver turn back due to a bleed air lead warning indication)  
8

9 Interrogatory No. 2: Describe the procedure that MCC personnel provided to the crew to correct  
10 the bleed air warning that occurred on Flight 755, on December 26, 2007.  
11

12 Interrogatory No. 3: Identify all instructions that Frontier provided on December 26, 2007, to its  
13 contract personnel in Memphis on how maintenance was to be performed on N940FR.  
14

15 REQUEST FOR PRODUCTION NO. 1: Provide a copy of all documents provided to the contract  
16 maintenance personnel that performed maintenance on N940FR on December 26, 2007 in  
17 Memphis, Tennessee.  
18

19 Interrogatory No. 4: Describe the procedures Frontier is referring to in its Amended Answer to the  
20 Complaint, paragraph 23.  
21

22 REQUEST FOR PRODUCTION NO. 2: Provide a copy of all documents that support its response  
23 to Interrogatory No. 4 above.  
24

25 REQUEST FOR PRODUCTION NO. 3: Provide a copy of all internal reviews and other audits  
26 performed by or for Frontier as a direct result of the flights charged in the Complaint.  
27

28 REQUEST FOR PRODUCTION NO. 4: Provide a copy of all documents and filings (be they with  
29 the Bankruptcy Court or Trustee) by Frontier Airlines concerning:  
30

- 31 a. Frontier's efforts to emerge from Bankruptcy.  
32 b. The financial status of Frontier for the current fiscal year, specifically including the last  
33 two operating quarters.  
34

35 Note: The Request for Production No. 4 specifically excludes documents published on  
36 [www.frontier-restructuring.com](http://www.frontier-restructuring.com) as of May 4, 2009.  
37

38 REQUEST FOR PRODUCTION NO. 5: Provide a copy of that portion of the Frontier Flight  
39 Operations Manual, or a document that was part of its CAMP, that contained the procedures the  
40 flight crew used on Flight 755 on December 26, 2007, following completion of the emergency  
41 checklist for the bleed air leak.  
42

43 REQUEST FOR PRODUCTION NO. 6: Provide a copy of the Frontier Flight Operations Manual  
44 section that authorized MCC to provide guidance on how to reset the computer while in flight,  
45 when no emergency existed.  
46

47 REQUEST FOR PRODUCTION NO. 7: Provide a copy of the post flight report for the December  
48 26, 2007 Flight 755 that occurred from Orlando, Florida to Memphis, Tennessee, using N940FR.  
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50 REQUEST FOR PRODUCTION NO. 8: Provide a copy of the aircraft log pages for N940FR  
51 during the period December 26, 2007 through and including December 29, 2007.  
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REQUEST FOR ADMISSIONS

Under 14 C.F.R. 13.220(b) and Rule 36 of the Federal Rules of Civil Procedure, you are requested to admit the truth of the following matters. A matter is admitted unless responded to in a reasonable time. The Rules of Practice in FAA Civil Penalty Actions, 14 C.F.R. 13.220(d), defines a reasonable time to be 30 days. The agency requests that an answer is served upon the agency attorney either admitting the matter, specifically denying the matter, stating why the matter cannot be admitted or denied, or objecting to the request, with reasons for the objection stated within 30 days of the date of service upon you.

REQUEST FOR ADMISSION NO 1: Admit that in 2007 and 2008 Frontier Airlines had annual operating revenues in excess of \$100,000,000.

REQUEST FOR ADMISSION NO 2: Admit that in December 2007 Frontier Airlines employed 1500 or more employees.

REQUEST FOR ADMISSION NO 3: Admit that after arriving in Memphis, Tennessee on December 26, 2007, Frontier used N940FR thereafter on sixteen or more passenger carrying flights from December 26, 2007 through and including December 29, 2007.

REQUEST FOR ADMISSION NO 4: Admit that in Frontier's fiscal year 2007 it had gross revenues of about \$1.17 billion.

REQUEST FOR ADMISSION NO 5: Admit that in Frontier's fiscal year 2008 it had gross revenues of about \$1.399 billion.

REQUEST FOR ADMISSION NO 6: Admit that in Frontier's fiscal year 2007 it had interest income of approximately \$14.961 million.

REQUEST FOR ADMISSION NO 7: Admit that in Frontier's fiscal year 2008 it had interest income of approximately \$11.619 million.

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3 CERTIFICATE OF SERVICE  
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5 I hereby certify that the foregoing Complainant's Initial Discovery Request has been served via  
6 facsimile and certified mail - Return Receipt Requested this date, to the following:  
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8  
9

10 The Honorable Richard C. Goodwin  
11 Office of hearings, M-20  
12 1200 New Jersey Avenue, S.E.  
13 East Building Ground Floor, Rm E12-320  
14 Washington, D.C. 20590  
15 TEL: 202.366.2139  
16 FAX: 202.366.7536  
17

18  
19 Federal Aviation Administration  
20 800 Independence Avenue SW  
21 Washington, D.C. 20591  
22 Attn: Hearing Docket Clerk, AGC-430  
23 Wilbur Wright Building - Suite 2W1000  
24 FAX: 202.493.5020  
25

26 Jennifer E. Trock, Esq.  
27 Pillsbury Winthrop Shaw Pittman, LLP  
28 2300 N Street, NW  
29 Washington, D.C. 20037-1122  
30 TEL: 202.663.8000  
31 FAX: 202.663.8007  
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37 Dated this 5th day of May, 2009.  
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43 \_\_\_\_\_  
44 PAMELA HAMMOND  
45 Office of Regional Counsel (ANM-7)  
46 Federal Aviation Administration  
47 1601 Lind Ave. SW  
48 Renton, WA 98057  
49 425.227.1847  
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